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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/713,441	11/15/2000	Patrick W. Bosshart	TI-26581	3244
23494	7590	08/24/2004	EXAMINER	
TEXAS INSTRUMENTS INCORPORATED			LI, AIMEE J	
P O BOX 655474, M/S 3999			ART UNIT	
DALLAS, TX 75265			PAPER NUMBER	
			2183	

DATE MAILED: 08/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/713,441

Applicant(s)

BOSSHART, PATRICK W.

Examiner

Aimee J Li

Art Unit

2183

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2004 and 29 June 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,5,7,10-12,16-18 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 22 is/are allowed.
- 6) ☒ Claim(s) 1, 10-11, and 21 is/are rejected.
- 7) ☒ Claim(s) 5,7,12,16-18 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1, 5, 7, 10-12, 16-18, and 20-22 have been considered. Claims 1, 5, 7, 10-12, 16-18, and 20-22 have been amended as per Applicant's request. Claims 2-4, 6, 8-9, 13-15, and 19 have been cancelled as per Applicant's request.

Allowable Subject Matter

2. Claim 22 is allowed in light of the claim amendments and arguments.
3. Claims 5, 7, 12, 16, 17, 18, and 20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 10-11, and 21 are rejected under 35 U.S.C. 102(b) as being taught by White, U.S. Patent Number 5,689,693 (herein referred to as White).
6. Referring to claim 1, White has taught a processor having a changeable architected state, comprising:
- a. Instruction memory for storing instructions (White column 1, lines 52-60; column 4, lines 34-40; and Figure 1);
 - b. An instruction pipeline, wherein an instruction which passes entirely through the pipeline alters the architected state and wherein the pipeline comprises circuitry

for fetching instructions from the instruction memory into the pipeline (White column 1, lines 52-60; column 4, lines 34-40; column 6, line 65 to column 6, line 31; and Figure 1);

- c. An annul word memory for storing an annul code having a plurality of annul bits, each annul bit having a one-to-one correspondence to one instruction of a group of instructions in the pipeline (White column 9, lines 49-62 and Figure 1). In regards to White, the annul code determines whether to cancel an instruction or not, and each bit in the annul code associated with one instruction is associated with one instruction and not more than one instruction, thereby having a one-to-one correspondence to one instruction.
 - d. Circuitry for preventing one or more selected instructions in the group from altering the architected state in response to the corresponding annul bit of the annul code (White column 9, lines 49-62 and Figure 1).
7. Referring to claim 10, White has taught wherein the annul code is generated in response to one or more constant generating instructions (White column 6, line 65 to column 7, line 31 and column 9, lines 49-62).
8. Referring to claim 11, White has taught wherein the annul code is loaded from a memory (White column 6, line 65 to column 7, line 31 and column 9, lines 49-62).
9. Referring to claim 21, White has taught circuitry for storing a portion of the annul code into the annul word memory in response to receipt of an interrupt (White column 9, lines 31-48).

Response to Arguments

10. Applicant's arguments with respect to claims 1, 10, 11, and 21 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made. Applicant must also show how the amendments avoid such references and objections. See 37 CFR § 1.111(c).

- a. Pauporte et al., U.S. Patent Number 6,175,910, has taught a speculative instruction with an annul bit to determine whether to cancel the instruction or not.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aimee J Li whose telephone number is (703) 305-7596. The examiner can normally be reached on M-T 7:30am-5:00pm.


13. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Chan can be reached on (703) 305-9712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

14. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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AJL
Aimee J. Li
August 21, 2004



EDDIE CHAN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100